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SUBJECT: TIM SAKHORN SENTENCED TO ONE YEAR IN PRISON

REF: REFS: A)HCMC 836; B)HCMC 766 C)HCMC 733 D)HCMC 520 E) PHNOM PENH 905

Summary

1. (SBU) On November 8, 2007, defrocked Khmer Krom monk Tim Sakhorn was sentenced to one year in prison by the An Giang Provincial People's Court for "sabotaging national unity," as defined by Article 87 of the GVN criminal code. The one-year sentence includes time already served in detention, which Post believes began with his reported arrest in Vietnam on June 30, 2007. Local news reports say Sakhorn "received materials and money from an exile reactionary organization to distribute 500 documents and 300 video discs with contents against the Vietnamese State" and "incited the Khmer ethnic minority people in An Giang province to lodge petitions and cause social disorder." Several An Giang land rights protesters told ConGen they were called to testify that Sakhorn gave them money to organize Khmer supporters for the land rights movement here. All declined to testify, but sources say one witness told authorities while she was in police detention that she received money from Sakhorn and gave it to another witness. The news reports also shed more light on Sakhorn's background, confirming his Vietnamese citizenship and long residency in Cambodia. End summary.

2. (SBU) Following receipt of a press release from the Khmer Kampuchea Krom Federation (KKKF) announcing Tim Sakhorn's trial in An Giang, Post confirmed with local contacts that he was tried and sentenced to one year in prison for "sabotaging national unity" under Article 87 of the GVN criminal code on November 8. Voice of Vietnam newssaid Sakhorn plead guilty and noted the short prison term (as compared to sentencing guidelines for Article 87 violations) was due to his "remorse and sincere attitude." Article 87 violations can carry a maximum sentence of 15 years. The one year sentenced includes the time Sakhorn has already served since his detention began in July.

3. (SBU) According to official news outlets, Sakhorn was arrested by Vietnamese authorities on June 30, 2007 for attempting to enter Vietnam from Cambodia illegally after being defrocked by the Buddhist church for violating Buddhist laws. However, earlier reports from Embassy Phnom Penh indicate that Vietnamese and Cambodian authorities cooperated in having Sakhorn forcibly removed from Cambodia and detained in Vietnam (Ref E). Vietnamese press said the charges stemmed from Sakhorn's KKKF activism in Vietnam. Specifically, Sakhorn was accused of receiving funding from the KKKF to slander the Vietnamese government and incite separatism via the dissemination of approximately 500 magazines and 300 video disks provided by KKKF to Khmer people in An Giang from April 2005 until the time of his arrest. In addition to the charges of inciting separatism in the Khmer community in An Giang, reports also claim Sakhorn was attempting to fund and organize residents

with land rights claims to join four demonstrations staged in An Giang, Can Tho and Ho Chi Minh City.

KKKF Supporting the Land Rights Movement?

14. (SBU) Press reports stated that four witnesses were called to testify at Sakhorn's trial regarding funds he allegedly provided them with and instructions he gave to organize Khmer protesters to join land rights demonstrations in the South. Post spoke to two of the witnesses, who confirmed all four had been summoned and all four had filed land dispute claims in An Giang. Some had also participated in the July land rights protests in Ho Chi Minh City (Ref B). Though all four witnesses decided not to testify in court, ConGen contacts said one witness, Ms. Neang Phe, was detained briefly by authorities and told police she received funds from Sakhorn and then gave them to another witness, Mr Chau In. When ConGen staff spoke to Mr. In, he denied any connection to Sakhorn and said he was too afraid to attend Sakhorn's trial, though police had come to his home on the day of the trial to "remind" him of the summons. Ms. Phe was unavailable for comment. Official reports of Sakhorn's trial said Mr. In confessed to receiving and disseminating anti-GVN CDs and magazines from Tim Sakhorn, inciting public protests and causing public disorder. Reports also said Sakhorn plead guilty to all charges and admitted his connections to all four witnesses. (Note: It is unclear from the reports when or how authorities obtained these confessions. End note.)

More on Sakhorn's Background

15. (SBU) Official reports of Sakhorn's trial also provided some details about his background. Reports confirmed he was born in 1968 in the Ba Chuc commune, Tri Ton district of An Giang. He and his family then fled to (vs. from) Cambodia in 1978 because of Khmer Rouge activity in the region. Sakhorn then returned to Vietnam in 1990 and left again for Cambodia late the same year.

HO CHI MIN 00001145 002 OF 002

The report alleges he was made Vice President of the KKKF in 2005, and defrocked on June 30, 2007 for violating Buddhist law (Ref D).

16. (SBU) All of the official reports describe activities Sakhorn allegedly conducted in Vietnam. ConGen contacts say he went back and forth between Vietnam and Cambodia regularly. As post reported earlier, one monk in An Giang said he saw Sakhorn in An Giang a month before his arrest and another monk said police visited pagodas in the area and instructed monks not to give Sakhorn refuge after he was defrocked(Ref C). None of our contacts could confirm whether Sakhorn was actively engaged in KKKF or land rights activism, however.

Comment

17. (SBU) The land rights activism charge is new and noteworthy. The Unified Buddhist Church of Vietnam (UBCV), a politically active and officially unrecognized sect which broke with the Vietnam Buddhist Sangha in 1981, has made no secret of their support for the land rights movement here and has both successfully and unsuccessfully donated funds to protesters in the past. It unclear if GVN authorities are trying to link Sakhorn--and therefore the KKKF--with the land rights movement in an effort to discredit him or whether Sakhorn was genuinely involved. As the hottest grassroots movement around, the land rights movement seems to be attracting support from many advocates of democracy and free speech in Vietnam. Post notes that information presented in the press and by contacts show Sakhorn's arrest and prosecution had little (if anything) to do with his religion, but rather his alleged activism on behalf of the KKKF and possibly in support of the land rights movement.

18. (U) This cable was coordinated with Embassy Phnom Penh and Embassy Hanoi.
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